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DEPT FOR EUR, EUR/SCE, DRL, AND INL, NSC FOR BRAUN, USUN  
FOR DREW SCHUFLETOWSKI, USOSCE FOR STEVE STEGER, OPDAT FOR  
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ELAB, KFRD, PREF

SUBJECT: KOSOVO: TIP REPORT SUBMISSION PART TWO OF TWO

REF: STATE 2731

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¶48. (SBU) Part Two of Post's submission for the Eighth Annual Trafficking in Persons (TIP) Report follows.

¶49. (SBU) Question 28(I): Kosovo has been unable to enter into formal extradition treaties because it lacked status as a sovereign state, but that may change with its new independent status. Nevertheless, UNMIK has been able to enter into international agreements to transfer Kosovars to other countries on a case-by-case basis, and is able to extradite foreign nationals under UN Security Council Resolution 1244. According to UNMIK, there have been nine cases of extradition to foreign countries, involving 12 people, since the end of the conflict in 1999.

¶50. (SBU) Question 28(J): Post is unaware of any evidence of government involvement in or tolerance of trafficking on a local or institutional level. Nevertheless, KPS THBS has reported that foreign trafficking victims often arrive in Kosovo with valid documents and employment contracts registered by local attorneys and stamped by municipal authorities. They believe the attorneys and local authorities may be aware that these victims are being trafficked into Kosovo to work as prostitutes, despite the fact that the traffickers are asking them to draft and register employment contracts stating they will work as waitresses or dancers.

¶51. (SBU) Question 28(K): Post has found no evidence of government officials being involved in trafficking during this reporting period. Nevertheless, the government is aware

that susceptibility to corruption is a problem in Kosovo due in particular to the low salaries local law enforcement officials receive. In 2006, the government established three bodies whose mandates include anti-corruption work: the Police Inspectorate of Kosovo (PIK), the Kosovo Special Prosecutors' Office (KSPO) and the Kosovo Anti-Corruption Agency. (See paragraph 20.) They are fledgling institutions, and it is too early to assess their efficacy.

**¶52. (SBU) Question 28(L):** Kosovo does not contribute troops to international peacekeeping operations.

**¶53. (SBU) Question 28(M):** Post has not found any evidence, anecdotal or otherwise, of a child sex tourism problem in Kosovo.

#### Protection and Assistance to Victims

**¶54. (SBU) Question 29(A):** Protection and assistance to trafficking victims are governed by the Standard Operating Procedures (SOPs) that the Kosovo government, UNMIK, international organizations and NGOs developed for foreign and local victims in 2004 and 2006, respectively. Under the SOPs for foreign victims, when police or social workers suspect that someone is a trafficking victim, a KPS THBS officer must fill out a basic data form and call a victims, advocate from the Ministry of Justice Victims' Assistance and Advocacy Unit (VAAU). Victims' advocates assist all trafficking victims with legal advice and support from identification through reintegration. Victims, advocates also give victims information on medical and psychosocial support services available to them. In the case of minors, social workers from the MLSW's Center for Social Work (CSW) must be present for any questioning of the victim. They assist from identification through reintegration. If police determine that the person is a victim of trafficking and the

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victim agrees, they will place him or her in the MOJ-run Interim Security Facility (ISF). If the victim is a minor, police must seek agreement from a representative of the Center for Social Work (CSW). On the second or third day, IOM discusses repatriation options with the victim. At that point, unless police have determined that the victim is at high risk for physical harm from his or her traffickers, he or she will normally go to a local NGO shelter to await repatriation or social reintegration within Kosovo.

**¶55. (SBU) All trafficking victims are accorded shelter and access to legal, medical and psychological services. Most medical and psychological services are provided through the shelters. Foreign victims who wish to return to their countries of origin also have a right to IOM repatriation assistance.**

**¶56. (SBU) Question 29(B):** Foreign victims have the same access to care as domestic trafficking victims. The only government-run facility dedicated to trafficking victims is the Ministry of Justice (MOJ)'s Interim Security Facility (ISF), which is funded by Kosovo's central budget and supervised by Ministry of Justice Victims, Assistance and Advocacy Unit (VAAU) staff. It provides temporary shelter, medical care, clothing, pocket money, counseling, educational assistance, recreational activities, and other services to victims while they consider whether to be repatriated or wait to testify against traffickers in criminal proceedings. The average stay in the ISF is three nights and only those victims that the KPS THBS believes are at high risk for retaliation by their traffickers would normally stay longer. Victims are generally not permitted to stay in the ISF for more than six months. The MOJ reports that 30 victims stayed there, including 16 foreigners. The MOJ reported that it spent 25,000 euros (38,000 dollars) on the ISF in 2007.

**¶57. (SBU) Aside from the ISF, the government relies on NGOs to operate shelters and provide services to trafficking**

victims. These facilities provide the same basic services as the ISF, but they do not provide the same high level of security. Hope and Homes for Children (HHC), which receives some government funding, operates one shelter and an assisted living project for trafficking victims, while the Center for Protection and Prevention of Victims of Trafficking in Human Beings (PVPT), which currently receives no government funding, struggles to operate one shelter that assists foreign victims of trafficking (see paragraphs 26-28).

Although it is not desirable because of the special needs of trafficking victims, domestic violence shelters also occasionally accept trafficking victims on an emergency basis. These shelters usually assist victims for no more than six months. There are no long-term, medium security shelters dedicated to trafficking victims.

¶58. (SBU) The long-term future of the private shelters is in doubt. PVPT was forced to close its doors during the reporting period due to funding shortfalls, and HHC experienced similar problems, resulting in its Pristina shelter closing temporarily during the reporting period and its Prizren shelter closing permanently. PVPT's funding comes from foreign donors, while HHC used to rely partly on its British parent by the same name, but has since spun-off and lost that funding. HHC is now heavily reliant on the Ministry of Labor and Social Welfare (MLSW), which gave it 191,970 euros (282,030 dollars) in 2007. Nevertheless, it is important to note that no comprehensive assessment of shelters has been conducted to determine whether the private shelters are efficient and whether they are all necessary.

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¶59. (SBU) During calendar year 2007, PVPT assisted 16 trafficking victims, Hope and Homes for Children, eight, and the MOJ-run ISF, 30. For the same period, CRS reported that Women Wellness Center in Peja assisted three victims, Liria in Gjilan, four, Center for Protection of Women and Children, three, and Safe House Gjakova, eight. However, CRS notes that some victims stay in more than one shelter, which means that simply adding up the aforementioned numbers will not result in an accurate count of the total number of victims who received shelter in Kosovo in 2007. Although data collection is improving, these figures should not be considered authoritative.

¶60. (SBU) Question 29(C): In addition to limited funding for Hope and Homes (see paragraphs 57 and 58), the MLSW funds, in part, shelters focusing on domestic trafficking victims. In calendar year 2007, it donated 60,374 euros (89,565 dollars) to six shelters for minors that housed victims of trafficking. In several cities, the municipalities provide rent-free space to house shelters. The Ministry of Justice has funded NGOs providing assistance to trafficking victims in the past, but it did not do so during the reporting period.

¶61. (SBU) Question 29(D): Law enforcement officers and social services personnel in Kosovo receive training on identifying possible victims of trafficking. As soon as they encounter a possible victim of trafficking, they follow Kosovo's Standard Operating Procedures (SOPs), which the Kosovo government, UNMIK, international organizations and NGOs developed for foreign and local victims in 2004 and 2006, respectively. Unless the potential victim is an adult and does not wish to speak to police, KPS THBS interviews him or her and fills out a basic data form, which is designed to capture relevant information one time to prevent the victim from being re-victimized by numerous interrogations. KPS THBS then calls a victim's advocate from the Ministry of Justice Victims' Assistance and Advocacy Unit (VAAU) to assist the victim with legal advice and support. The victim's advocate remains with the victim from identification through reintegration. In the case of a minor victim, KPS THBS also calls a social worker from the Center for Social Work (CSW). If the victim consents, he or she

goes to the MOJ-run Interim Security Facility (ISF). If the victim is a minor, police must obtain the consent of a representative of the Center for Social Work (CSW) to place him or her in the ISF. On the second or third day, CSW discusses reintegration options with the victim. At that point, if police have not determined that the victim is at a high risk for physical harm by her traffickers, he or she may return home or go to a local NGO shelter. CSW assists him or her with social reintegration services. If an adult does not wish to speak to police, a CSW social worker will fill out the basic data form and coordinate his or her reintegration services. See paragraph 54 for information on the SOPs for foreign victims of trafficking, which differ slightly from those for internal victims.

¶62. (SBU) In calendar year 2007, KPS referred 28 victims for assistance and the CSW referred 17 internal victims and one international victim. All of the victims the CSW referred were minors.

¶63. (SBU) Question 29(E): Kosovo does not have legalized prostitution.

¶64. (SBU) Question 29(F): According to IOM and others

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involved in counter-trafficking work in Kosovo, victims' rights are generally respected. Nevertheless, some problems have been reported. IOM says that some victims are jailed or deported. According to IOM, the jail terms depend on the penal code but may be one month or more. Post believes these incidents are the result of women refusing to admit to KPS THBS that they are trafficking victims. Since prostitution is illegal and constitutes grounds for deportation, KPS THBS say they have little choice when victims are caught for prostitution and vehemently deny being victims.

¶65. (SBU) The Prime Minister's Advisory Office for Good Governance (AOGG) reported in July 2007 that the United Nations Development Fund (UNDP) Women's Safety and Security Initiative (WSSI), in cooperation with KPS THBS, created private interview rooms in police stations in Pristina, Peja, Prizren, Gjilan, Ferizaj and Mitrovica. This was a direct response to the problems reported of victims who wished to remain anonymous coming into contact with their traffickers in courts due to lax security procedures and victims not being permitted to give statements in private due to the lack of private interview rooms in police stations.

¶66. (SBU) Question 29(G): The VAAU reports that victims are not pressured to assist in investigation and prosecution of traffickers, but that systems are in place to allow them to make recorded statements with their faces hidden and voices disguised. Victims, advocates are with them from identification through reintegration and explain their rights every step of the way. Between April 1 and December 31, 2007, one victim gave grudging assistance in the investigation and prosecution of her traffickers, while another gave testimony that was false, apparently because she was a recruiter.

¶67. (SBU) Victims, as injured parties, may seek damages in criminal trials and may pursue their claims in civil litigation. In addition, under Kosovo law, if the court orders confiscation of material benefit in a criminal case, injured parties may be entitled to seek compensation from the confiscated property. According to IOM, no one impedes victims' rights to such legal redress. Victims who are material witnesses in court cases against former employers are permitted to obtain other employment or leave the country provided they share their contact details with the court.

¶68. (SBU) Question 29(H): The government is able to provide 24-hour protection of limited duration to victims and to allow them to give anonymous testimony if they decide to become witnesses in cases against their traffickers through

video conferencing technology that allows for visual and voice alteration. KPS THBS officers do risk assessments of all trafficking victims. They refer the high-risk victims to the Ministry of Justice-run Interim Security Facility (ISF), a high security shelter that offers 24-hour protection but does not allow victims to come and go as they please. They refer the low- and medium-risk victims to private shelters, which allow some freedom of movement and are generally more conducive to longer stays and reintegration. ISF reported that 30 victims received shelter services in their facility during the reporting period, while PVPT said it assisted 16 victims and Hopes and Homes for Children said it assisted eight. CRS said the Women Wellness Center in Peja assisted three victims, Liria in Gjilan, four, Center for Protection of Women and Children, three, and Safe House Gjakova, eight.

¶69. (SBU) Minors may be sent to the ISF or a shelter for minors depending on their risk level, reintegrated with their

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families, or placed in foster-care if they come from abusive families. Local Centers for Social Work (CSW) handle the minors, cases, and report directly to the Ministry of Labor and Social Welfare. While the foster care option exists, UNICEF complained that it is mainly used for young children and not for adolescents and victims of trafficking.

¶70. (SBU) The government provides some reintegration assistance, primarily through the Ministry of Labor and Social Welfare or in cooperation with international organizations and NGOs. However, these services are limited and are mostly offered through the shelters. They include health care, counseling, education, clothing, pocket money and employment assistance. The MLSW assisted 18 local child victims of trafficking and two international victims in calendar year 2007. See paragraphs 59 and 68 for the approximate number of victims assisted through shelters.

¶71. (SBU) Question 29(I): The government trains officials and anti-trafficking partners on recognizing trafficking and providing assistance to victims, including minors, mostly in cooperation with its anti-trafficking partners in the NGO and international organization communities. Examples of such trainings during the reporting period include a course on the Standard Operating Procedures (SOPs) for 33 people from the KPS, Centers for Social Work, MOJ Victims Advocacy and Assistance Unit (VAAU) and local NGOs, and a MEST-organized training on general training on trafficking for teachers Kosovo-wide. See paragraphs 44 and 45 for information on KPS and Kosovo Judicial Institute training.

¶72. (SBU) Kosovo was not a sovereign state during most of the reporting period, and therefore did not have embassies and consulates. (Note: As discussed above, Kosovo declared its independence on February 17, 2008, a move that was recognized by the United States.)

¶73. (SBU) Question 29(J): The VAAU reports that the government does provide assistance to repatriated Kosovars who are trafficking victims. If they are placed in a shelter, they benefit from the same services available to victims identified in Kosovo. IOM reports that there is, however, no other support for victims once they leave the shelter. In the case of minors, social workers are involved with family mediation and school re-insertion and may point victims in the direction of other assistance.

¶74. (SBU) Question 29(K): While many international organizations and NGOs work on the trafficking issue, IOM is the only one working directly with victims. Hope and Homes for Children and PVPT were originally international NGOs, but have since spun off and become local NGOs.

¶75. (SBU) For foreign victims, IOM provides: case screening and management, psycho-social counseling inside shelters or referrals for outside psychiatric and psychological

assistance, medical assistance, in-depth needs assessments, travel arrangements, travel documents for victims whose passports have been confiscated by traffickers, travel supplies and reinstallation grants, organization of safe transportation to departure points (in cooperation with UNMIK and based on medical and security concerns), medical and accompanied minor escorts when necessary, and coordination with receiving IOM mission. For local victims, it provides: short- and medium-term sheltering in preparation for family reunification or independent living, family mediation (in cooperation with social workers when victims are minors), psychological counseling and psychiatric assistance,

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reintegration or emergency grants, material support for victims and/or families, housing and rental support, access to education, education-related expenses, vocational training, job placement (including for family members), awareness-raising and self-improvement activities, facilitation of relocation out of Kosovo for witnesses and their families, and monitoring and follow-up.

¶76. (SBU) IOM reports good cooperation with the government, but it did not receive any financial assistance from government sources for its work with trafficking victims during the reporting period.

#### Prevention

¶77. (SBU) Question 30(A): The government and UNMIK acknowledge that trafficking in persons is a problem in Kosovo, and they are working to address the issue.

¶78. (SBU) Question 30(B): In July 2007, the Prime Minister approved an initiative declaring October to be the month of an awareness campaign against human trafficking. The Prime Minister's Advisory Office for Good Governance (AOGG) took the lead in organizing this initiative, and several governmental components contributed to it. Members of the KPS THBS participated in several roundtables and panel discussions devoted to this subject. In addition, the Ministry of Education, Science and Technology (MEST) took part in a regional project, &Safe Environment for Children,<sup>8</sup> to help parents prevent their children from falling victim to human trafficking. The Ministry of Culture sponsored five regional discussions aimed at preventing trafficking, and held five concerts and a conference on the topic of the role of education in preventing trafficking. Other organizations also sponsored events and media campaigns aimed at prevention. This initiative and many of the programs conducted throughout the month received extensive media coverage.

¶79. (SBU) Notwithstanding the anti-trafficking month, most anti-trafficking information and education campaigns during the reporting period were run by international organizations and NGOs with the government's support and under the auspices of the Kosovo Action Plan (KAP). Examples include OSCE-sponsored television debates aimed at raising awareness of internal trafficking, mechanisms for reporting it and assistance available to victims; the MEST's inclusion of an anti-trafficking module in an elective subject called &Skills for Life<sup>8</sup> in Kosovo's public schools; a Partnership against Trafficking in Human Beings Project (PATH)'s awards contest for journalists, best stories on trafficking issues; and a Save the Children research report entitled &Children Speak Out,<sup>8</sup> which provided information on the environment in which highly vulnerable children are raised and which should help counter-trafficking officials tailor future messages to them. Although the PATH Project is currently finalizing a progress report on the activities envisaged in the KAP, no assessments have been conducted on the information and education campaigns, success or the size of the audiences they reached.

¶80. (SBU) Question 30(C): There is good cooperation on the

trafficking issue among government officials, NGOs, international organizations and other elements of civil society in Kosovo. They regularly consult on developing and implementing trafficking-related protocols, such as the Standard Operating Procedures (SOP) for dealing with victims of trafficking. They also cooperate very closely on

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providing assistance to victims. Aside from the Interim Security Facility (ISF) for high-risk trafficking victims, all shelters are managed by local NGOs and partially funded by the MLSW. Moreover, NGOs and international organizations are participating in drafting of the new KAP and serve on the Inter-Ministerial Working Group on Trafficking Issues, which is responsible for designing, implementing and monitoring the new KAP.

¶81. (SBU) Question 30(D): KPS monitors immigration patterns for evidence of trafficking. Foreigners staying in Kosovo more than 90 days are required to register with the Office of Foreign Registration (OFR) unless they are employees of KFOR, international organizations or foreign liaison offices. KPS THBS coordinates closely with the OFR to identify potential trafficking victims and subsequently interview them. When they do bar/restaurant checks, KPS THBS officers particularly look for women and girls that have been classified as at-risk through OFR records checks.

¶82. (SBU) KPS Border/Boundary Police officers also report that they routinely look for potential victims of trafficking entering Kosovo's border and boundary gates and the Pristina Airport. When they suspect a woman or girl may be a victim or potential victim of trafficking, they separate her from others with whom she is traveling in order to question her, warn her of the risks of trafficking and give her information on what to do if she becomes a victim of trafficking. Border police cooperate closely with KPS THBS.

¶83. (SBU) KPS THBS says it is also monitoring emigration patterns to try to understand possible criminal networks trafficking women and girls from Kosovo to other European countries. It works closely with Border/Boundary Police on this.

¶84. (SBU) Question 30(E): The national coordinator for counter-trafficking in the Prime Minister's Advisory Office for Good Governance (AOGG) coordinates communication among counter-trafficking actors in Kosovo, including the relevant ministries, NGOs and international organizations. The national counter-trafficking coordinator has a secretariat and chairs an inter-ministerial working group on counter-trafficking, which will design, implement and monitor the new Kosovo Action Plan (KAP) on trafficking. There are also sub-working groups on prevention, protection, prosecution and trafficking in children.

¶85. (SBU) The government does not have a public corruption task force, but it established the Kosovo Anti-corruption Agency and the Police Inspectorate of Kosovo (PIK) in July 2006, and the Kosovo Special Prosecutors' Office (KSPO) in September 2006 (see paragraphs 20 and 51). Since they are fledgling institutions, it is too soon to assess their efficacy.

¶86. (SBU) Question 30(F): The Kosovo Action Plan to Combat Trafficking in Persons (KAP), which was adopted in May 2005 and widely disseminated and publicized, expired in December 2007. Plans are underway for a successor KAP. All relevant ministries, international organizations, NGOs and civil society representatives will participate in the process.

¶87. (SBU) Question 30(G): Between April 1, 2007 and January 21, 2008, the Kosovo Police Service (KPS) arrested 13 people for prostitution and four for facilitating prostitution. They also conducted 928 searches of premises suspected of prostitution and/or trafficking in persons, 45 of which were closed as a result. In January 2008, the KPS THBS and the

Kosovo Special Prosecutors Office (KSPO) also worked together to gather evidence to file the first ever indictment charging a client, sending a powerful signal to other would-be clients that they may be next.

¶188. (SBU) In January 2007, the national counter-trafficking coordinator sent a memorandum to the prime minister on bars suspected of trafficking in persons, prostitution and other criminal activities and suggested that these bars be off limits to senior officials working in Kosovo government institutions. The KPS THBS compiled this list and distributed it to government offices every month during the reporting period. UNMIK distributes a similar list of off-limits bars for its officials. Most international liaison officers and KFOR report that they require their employees to abide by the list.

¶189. (SBU) In January 2008, a Kosovo Special Prosecutors Office (KSPO) prosecutor who focuses on trafficking in persons filed a groundbreaking indictment charging three Kosovar Albanian men, including one client, and three Moldovan women for human trafficking, facilitating prostitution and money laundering. It was the first indictment ever in Kosovo to charge a client, to charge Moldovan women as recruiters and to include money laundering in a human trafficking case. The KSPO hopes it will serve as a model for future indictments and that, if successful, will send a powerful message to clients that they are not beyond the reach of the law.

¶190. (SBU) Question 30(H): N/A.

¶191. (SBU) Question 30(I): N/A

¶192. (SBU) Post's point of contact on TIP matters is POLOFF Tracey Thornton, 381-38-5959-3110, 377-44-502-107 (mobile), ThorntonTR@state.gov.  
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